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2024730-7033212001
03-168

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Joseph C. Eder et al.

Serial No.: 10/716,641

Filed: November 18, 2003

For: APPARATUS FOR MIXING AND
DISPENSING A MULTI-
COMPONENT BONE CEMENT

Group Art Unit: 1723

Confirmation No.: 7680

Examiner: Tony Glen Soohoo

August 18, 2006

AMENDMENT AND RESPONSEMail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the Office Action made final mailed May 19, 2006, and therefore this paper is timely filed within the three-month shortened statutory deadline. Applicant believes that no fee is required by the filing of the Amendment and Response. The Commissioner is hereby authorized to charge any additional fees associated with this submission or credit any overpayment to Deposit Account No. 50-1105. Applicant believes that no fee is required by the filing of this Amendment and Response. A Request for Continued Examination is being filed along with this paper, thereby removing the finality of the outstanding Office Action.

CERTIFICATE OF MAILING 37 C.F.R. § 1.8

I hereby certify, pursuant to 37 C.F.R. § 1.8, that this paper (along with any item(s) referred to as being attached or enclosed) is: being deposited with the U.S. Postal Service as first class mail addressed to Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO (571) 273-8300, on the date indicated below:

Date of Transmission: August 18, 2006

James K. Sakaguchi

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Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this submission.

Remarks begin on page 13 of this submission.